

**MEMORANDUM**

To: CMAP Board

From: CMAP Staff

Date: March 6, 2013

Re: State Legislative Update

The 98th General Assembly, now in its second month, has introduced over 6,000 bills. The deadlines for the introduction of substantive bills passed in both the House and the Senate in February; next, bills must pass out of committee by March 22. CMAP staff is monitoring the progress and analyzing bills with particular relevance to the agency. Bills included in the following pages of this memorandum either impact [CMAP's 2013 State Legislative Framework and Agenda](#) or are of interest to CMAP and its partners. CMAP staff recommends positions on several particularly germane bills that either further the implementation of GO TO 2040 or run directly counter to CMAP's goals for the region.

Staff will continue to closely monitor legislative initiatives that are particularly relevant to CMAP's [Legislative Agenda](#). Regarding the state's fiscal health, the General Assembly is still negotiating numerous proposals to reform the state's pension system. Second, early conversations have begun about the need for a new capital bill for transportation. CMAP is involved in these conversations, but stresses that investment in the state's transportation must be based on transparent evaluation criteria that support the needs of an economically competitive state and include key stakeholders, like MPOs. To help improve processes for allocating existing transportation funds, one proposal, [House Bill 1549](#), would compel IDOT to implement an expanded approach to performance-based programming. A recent [policy update](#) conducts a thorough review of the bill as it was introduced. CMAP supports this bill and is actively working to with others to advance it. Finally, on Friday, March 1, Governor Quinn issued [Executive Order 1303](#) to create a steering committee and state agency taskforce to guide and implement the Millennium Reserve: Calumet Core Initiative. The governor appointed one representative of CMAP to serve on the steering committee; a recent [policy update](#) describes the effort's objectives and the membership of both the steering committee and taskforce.

On March 6, Governor Quinn delivered his budget address to the General Assembly. The April legislative memo will include analysis on proposals that impact CMAP and its partners.

ACTION REQUESTED: Informational

Subject	Bill	Summary	Status	Agency Position
PURSUE COORDINATED INVESTMENTS				
Township Dissolution	HB1491	Dwight Kay (R-Edwardsville) Allows townships that are wholly contained within a municipality to be dissolved by referendum, with township powers and duties assumed by the municipality.	02/19/2013 House Assigned to Counties & Townships Committee	
Local Government Dissolution	HB2481	Dennis Reboletti (R-Addison) Gives county boards the power to dissolve local units of government.	02/20/2013 House Referred to Rules Committee	
Local Government Dissolution	HB3251	Jack D. Franks (D-Woodstock) Allows dissolution of local governmental units by voter referendum.	02/26/2013 House Referred to Rules Committee	
Township Dissolution	SB1585	Daniel Biss (D-Skokie) Provides a process by which a single township within a county under township organization could dissolve. Currently, state statute does not provide a clear route to dissolving one township within a county that is under township organization. State statute only provides a mechanism for the dissolution of townships on a countywide basis. Under the bill, upon petition of at least 10 percent of registered voters in the township, a proposition to discontinue and abolish the township and transfer its responsibilities to the county would be put to a vote countywide. If the proposition passes countywide, then the township would be abolished. All responsibilities and taxing authority of the township would be transferred to the county.	02/27/2013 Senate Assigned to Executive	
INVEST STRATEGICALLY IN TRANSPORTATION				
Funding	HB1295	Al Riley (D-Hazel Crest) Amends the Illinois Urban Development Authority Act (IUDAA), to expand the scope of permissible activities to include development, financing, and maintenance of transportation projects. The bill does not provide new revenue sources for redevelopment activities. Note that the	02/27/2013 House Placed on Calendar 2nd Reading - Short Debate	

Subject	Bill	Summary	Status	Agency Position
		IUDAA allows the Authority to issue revenue bonds, with a total cap of \$500 million, and to make loans. These bonds are to be repaid through revenues or income derived from loans issued, the leasing or sale of projects, or other sources. This addresses redevelopment in existing communities, it also supports preservation of land for both farm and or green redevelopment it and has a direct impact on our goal to increase and expand more open space in our region. The bill could also increase resources available for transportation investments in existing communities.		
Performance Measures	HB1549	Elaine Nekritz (D-Buffalo Grove) Compels IDOT to implement an expanded approach to performance-based programming. Establishes a Technical Advisory Group, the timeline for a report in FY 2014 and implementation beginning in FY 2015, and the ongoing reporting requirements as part of IDOT's Highway Improvement Program. The State Technical Advisory Group would be charged with determining the details of performance-based programming: defining project types, identifying clear performance measures, developing methodologies to tie performance measures to programming decisions, and developing methodologies to incorporate qualitative input from the state's MPOs into the evaluation process. Further, the bill includes language that would formalize the participation of MPOs in the state programming process.	02/20/2013 House Assigned to Transportation: Regulation, Roads & Bridges Committee	Support
Motor Fuel Tax	HB2433	David Harris (R-Mount Prospect) Exempts motor fuel and gasohol sales from sales taxes. It would increase the state motor fuel tax rate from the current 19 cents per gallon to 38 cents per gallon. HB 2433 would direct 15 cents per gallon of the increased MFT to the General Revenue Fund, 0.8 cents per gallon to the County and Mass Transit District Fund, and 3.2 cents per gallon to the Local Government Tax Fund. This bill would establish a precedent of diverting transportation user fees to non-transportation purposes, and as such runs directly counter to the recommendations of GO TO 2040. Further, by reducing the total sales tax base in the State, this bill would reduce revenues for transit and local government services.	02/25/2013 House Assigned to Revenue & Finance Committee	Oppose

Subject	Bill	Summary	Status	Agency Position
55/45 Split	HB2460	Luis Arroyo (D-Chicago) Requires IDOT to appropriate 50% of all Road Fund monies to District 1 and 50% among Districts 2 through 9. This bill would provide a legislative response to the longstanding, non-statutory "55/45 split". This bill codifies a form of the old 55/45 arguments that do not serve the interests of our region or the State. GO TO 2040 does not support new arbitrary formulas, but rather calls for performance-based funding.	02/20/2013 House Referred to Rules Committee	Oppose
Design-Build	HB3132	Jack D. Franks (D-Woodstock) Provides that the Design-Build Procurement Act also applies to the Department of Transportation.	02/26/2013 House Referred to Rules Committee	
Road Fund/ No Transfers	SB29	Pamela J. Althoff (R-McHenry) Prohibits any sweeps, administrative charges, or other maneuvers that would transfer any funds out of the Motor Fuel Tax Fund, State Construction Account Fund, the Public Transportation Fund, the Downstate Public Transportation Fund, the RTA Occupation and Use Tax Replacement Fund, and the Road Fund. Further, the bill would amend the RTA Act to delete language that currently allows monies to be appropriated from the PTF to the Office of the Executive Inspector General. Rather, the bill provides that the Office of the EIG may submit invoices to the RTA for costs incurred. CMAP supports protected, dedicated funding sources for transportation, as well as the user-fees principle in transportation finance. However, there may be unintended consequences of this legislation. For example, restricting these funds may complicate IDOT's and RTA's management of cash flow.	02/07/2013 Senate Assigned to Appropriations II	
Design-Build	SB1647	Kwame Raoul (D-Chicago) Create a demonstration program for design-build (DB) and construction manager/general contractor (CM/GC) project delivery approaches. The bill would allow IDOT to enter into as many as five DB contracts and five CM/GC contracts. The Act would allow IDOT greater flexibility in delivering projects and achieving cost and time savings.	02/27/2013 Senate Assigned to Transportation	

Subject	Bill	Summary	Status	Agency Position
Motor Fuel Tax	SB2140	Pamela J. Althoff (R-McHenry) Amends the Motor Fuel Tax law to direct 63 percent of gas tax revenues to the State Construction Account Fund and 37 percent to the Road Fund. Currently, those shares are reversed. Note that these allotments refer to the State's portion of MFT revenues; the revenue sharing with local governments would not be affected. The bill supports the user fees principle for transportation funding, a hallmark of GO TO 2040. However, in doing so it may affect IDOT's ability to manage basic operations (e.g. employee pension contributions), as well as CMAP's own funding source.	02/15/2013 Senate Referred to Assignments	
Elgin-O'Hare	HJR9	Robert Rita (D-Blue Island) Authorizes the Tollway to build the Elgin O'Hare expansion and western access project. The Toll Highway Act requires a joint resolution of the General Assembly before the Tollway can issue bonds for or begin constructing a new Tollway. The resolution also calls on the Tollway to minimize environmental impacts, accommodate alternative modes of transportation, and support the involvement of diverse groups in the project and broader economic development in the corridor. This joint resolution is required for the Elgin-O'Hare project to move forward.	02/19/2013 House Referred to Rules Committee	Support
INCREASE COMMITMENT TO PUBLIC TRANSIT				
RTA Board	HB140	Jack D. Franks (D-Woodstock) Eliminates compensation and pension benefits for RTA board members.	03/01/2013 House Placed on Calendar 2nd Reading - Short Debate	
RTA Working Cash Notes	HB1389	Arthur Turner (D-Chicago) Allows the RTA to sell additional Working Cash Notes before July 1, 2016 (now 2014) that are over and above and in addition to the \$100,000,000 authorization.	03/01/2013 House Placed on Calendar 2nd Reading - Short Debate	
RTA Fare Increases	HB2453	Al Riley (D-Hazel Crest) Requires both the Mass Transit Committee in the House and the Transportation Committee in the Senate to hold a public hearing regarding any increase in the revenue recovery ratio or any increase in fares or charges for public transportation.	02/20/2013 House Referred to Rules Committee	

Subject	Bill	Summary	Status	Agency Position
RTA Tax Collection	HB3158	Al Riley (D-Hazel Crest) Permits a municipality that is not being served or is underserved by the RTA to provide for the sequestration of all taxes collected within its corporate boundaries under this Section. Provides that taxes sequestered in this way shall be held in trust by the Illinois Department of Revenue and shall be paid over to the RTA as the municipality may by resolution provide	02/26/2013 House Referred to Rules Committee	
RTA-CMAP Merger	SB1594	Terry Link (D-Gurnee) Merges CMAP and the RTA.	02/28/2013 Senate Re-assigned to Executive	
RTA Veto Power	SB2387	Karen McConnaughay (R-South Elgin) Gives the RTA Board chairman veto powers over the service board budgets.	02/15/2013 Senate Referred to Assignments	
ACHIEVE GREATER LIVABILITY THROUGH LAND USE AND HOUSING				
Green Energy SSA	HB67	Lou Lang (D-Skokie) Allows two distinct new authorities: first, Counties or Municipalities may create a "green" special service area and levy related taxes; second, the Illinois Finance Authority may purchase SSA bonds and accept assignments or pledges of public or private green SSA projects. Green projects are any installation, modification, or replacement that reduces energy consumption in any residential, commercial, or industrial building, structure, or other facility.	01/30/2013 House Assigned to Revenue & Finance Committee	
Affordable Housing	HB2255 and SB1244	Rep. JoAnn D. Osmond (R-Gurnee) Sen. Terry Link (D-Gurnee) Companion bills that establish an Affordable Housing Trust Fund Pilot Program in Lake County. The statute would be expanded to give the Lake County Board the authority to impose a \$3 recording fee on real estate transactions to be deposited in an Affordable Housing Trust Fund. The authority is required because Lake County is not home rule. The Fund may be utilized for the purpose of providing financial support for affordable housing activities that address the housing needs of low-income and moderate-income households as determined by the county board. It	02/25/2013 House Assigned to Housing Committee and 02/28/2013 Senate Postponed - Local Government	Support

Subject	Bill	Summary	Status	Agency Position
		appears that both capital and administrative expenses related to affordable housing are eligible. The bills could provide additional funding for affordable housing in Lake County, and tying funding to housing sales provides something of a connection between the fee and its use.		
Housing Stabilization	HB2572	Thaddeus Jones (D-Calumet City) Allows localities to create Local Government Stabilization Authorities that shall use available funds to facilitate the return of vacant, abandoned, and tax-delinquent properties to productive use.	02/21/2013 House Referred to Rules Committee	
Brownfields Redevelopment	HB2940	William Davis (D-East Hazel Crest) Creates the South Suburban Brownfields Redevelopment Fund and says all monies in the fund shall be used to cover the costs of acquisition and assembly of brownfield properties and their remediation and re-use as part of a South Suburban Cook County Redevelopment Zone and for improvements of public infrastructure servicing those properties.	02/26/2013 House Referred to Rules Committee	
Property Rehabilitation	SB1432	Jacqueline Y. Collins (D-Chicago) Provides that property owned by an entity created by county or municipal ordinance for the purpose of acquiring troubled property and returning it to productive use is exempt from property taxation.	02/28/2013 Senate Postponed - Revenue	
MANAGE AND CONSERVE WATER AND ENERGY				
Water and Sewer Utilities	HB1379	Brandon W. Phelps (D-Harrisburg) Provides an alternative procedure that a large public utility may choose in establishing the ratemaking rate base of a water or sewer utility that the large public utility is acquiring.	02/27/2013 House Placed on Calendar 2nd Reading - Short Debate	
Stormwater Management	HB1522	Mike Fortner (R-West Chicago) Allows DuPage and Peoria counties to impose user fees for stormwater management.	02/28/2013 House Placed on Calendar 2nd Reading - Short Debate	Support
Fracking Regulations	HB2615	John E. Bradley (D-Marion) Sets forth rules for hydraulic fracking and puts the DNR in charge of fracking permitting and operations.	02/21/2013 House Referred to Rules Committee	

Subject	Bill	Summary	Status	Agency Position
MWRD	HB2735	Dennis M. Reboletti (R-Addison) Requires municipalities within the MWRD service area to charge other municipalities the same price for water as it charges its own residents.	02/21/2013 House Referred to Rules Committee	
MWRD	SB1691	Matt Murphy (R-Palatine) Expands the corporate limits of the MWRD.	02/27/2013 Senate Assigned to Local Government	
EXPAND AND IMPROVE PARKS AND OPEN SPACE				
Preservation	HB1037	Michael W. Tryon (R-Crystal Lake) Allows Boone, DeKalb, DuPage, Grundy, Kane, Kankakee, Kendall, Lake, McHenry, and Will county to levy an annual tax for farmland preservation easement and to make grants to local governments to support “green redevelopment”. The tax may not exceed 0.05% of the equalized assessed value of taxable property in the county. Provides that the tax must be approved by referendum. Eligible “green redevelopment” projects include stormwater BMPs on developed sites, brownfield remediation, and projects to enhance groundwater infiltration.	02/13/2013 House Assigned to Counties & Townships Committee	
Land Grants	SB1341	Kimberly A. Lightford (D-Maywood) Current Open Space Lands Acquisition and Development (OSLAD) grant match requirement is 50%; this legislation reduces it to 10% for communities that are distressed (defined in rules to be promulgated by IDNR). This bill directly carries out the GO TO 2040 recommendation to make open space land acquisition and development match requirements more equitable.	02/27/2013 Senate Placed on Calendar Order of 2nd Reading	Support
Millennium Reserve	EO1303	Gov. Pat Quinn Creates the Steering Committee for the Millennium Reserve: Calumet Core Initiative to serve as a central governing body which includes a CMAP representative. Creates the Millennium Reserve State Agency Task Force to inform and consider the priorities and specific actions and initiatives of the Steering Committee for the Millennium Reserve.	03/01/2013 Senate Filed with the Secretary of State	

Subject	Bill	Summary	Status	Agency Position
IMPROVE ACCESS TO INFORMATION				
Public Hearing	HB3199	Al Riley (D-Hazel Crest) Requires the Commission on Government Forecasting and Accountability to hold a public hearing within 30 days after the Governor's Budget Address to the General Assembly to consider CMAP's annual report and its impact on the State budget.	02/26/2013 House Referred to Rules Committee	

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